



IFW 1723

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March 29, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: U.S. Patent Application No. 10/505,289 filed 07/14/2005
Applicant: Brian Jones et al.
Title: **MOBILE PHASE TREATMENT FOR CHROMATOGRAPHY**
Group Art Unit: 1723
Attorney Docket No. 25808.US

Sir/Madam:

Transmitted herewith for filing and pursuant to 37 C.F.R. §§ 1.56 and 1.97 is an Information Disclosure Statement. Enclosed also are the following designated documents, as required under 37 C.F.R. §§ 1.97 and 1.98:

- ☒ Form **PTO/SB/08A and PTO/SB/08B** list of 22 references submitted for consideration.
- ☐ Legible copies of the listed references or their relevant portions.
- ☒ Legible copies of the listed non-patent documents and foreign documents or their relevant portions are included.
- ☒ Copies of U.S. patents and/or publications are not included pursuant to the Official Gazette Notice, dated Aug. 5, 2003, waiving the requirement of 37 C.F.R. 1.98(a)(2)(i).
- ☐ All English translations of each non-English reference, if any, within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) (see 37 C.F.R. § 1.98(c)).

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The following are included within the Information Disclosure Statement if applicable and as required under 37 C.F.R. § 1.98:

- ☐ Concise explanation of relevance of each reference not in English and unaccompanied by an English translation.
- ☐ Statement that certain listed references not enclosed are substantially cumulative of an enclosed reference.
- ☐ Statement that certain listed references not enclosed were previously cited by or submitted to the Office in prior application no. _____, filed on _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120.

In order to secure consideration of the items designated above, one or more of the following, if required, is also enclosed:

- ☐ Statement under 37 C.F.R. § 1.97(e)(1) or (2).
- ☐ Check No. _____, which includes the amount of \$180.00 (amount in § 1.17(p)) constituting the submission fee set forth in 37 C.F.R. § 1.17(p).

In the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that the Statement meets the requirements of 37 C.F.R. § 1.97(e), or in any other event remediable by a fee, please credit any over payment or charge any additional fees to Deposit Account No. 20-0100 of the undersigned.

Respectfully submitted,



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IN THE UNITED STATES PATENT & TRADEMARKS OFFICE

1723

EXAMINER:

APPLICANT: Brian Jones et al.

SERIAL NO.: 10/505,289

FILED: 7/14/2005

CONFRM. NO.: 5179

FOR: MOBILE PHASE TREATMENT FOR
CHROMATOGRAPHY

CERTIFICATE OF MAILING
UNDER 37 C.F.R. § 1.8

DATE OF DEPOSIT: 3-31-06

I hereby certify that this paper or fee (along with any paper or fee referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage on the date indicated above and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Judy Wagner

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form **PTO/SB/08A** and **PTO/SB/08B** which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). Applicant respectfully submits that this Information Disclosure Statement is filed pursuant to:

☒ 37 C.F.R. § 1.97 (b)(1) or (3), within three months of the filing date of the application, or before a first office action on the merits, whichever occurs last;

☐ 37 C.F.R. § 1.97 (c), after a first office action on the merits, but before a Final Office Action or a Notice of Allowance, whichever occurs first, and is accompanied by either 1) a statement in accordance with 37 C.F.R. § 1.97(e), or 2) the fee set forth in § 1.17(p); or

☐ 37 C.F.R. § 1.97 (d), after a Final Office Action or Notice of Allowance, whichever occurs first, but on or before payment of the issue fee, and is accompanied by both 1) a statement in accordance with 37 C.F.R. § 1.97(e), and 2) the fee set forth in § 1.17(p).

While no representation is made that any of these references may be "prior art" within the meaning of that term in accordance with 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the references listed, together with any other references which may have been previously submitted or listed, are the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

☐ A legible copy of each listed U.S. Patent or publication (or relevant portion thereof) which was not previously submitted to, or cited by, the Patent Office is enclosed pursuant to 37 C.F.R. §§ 1.97 and 1.98.

☒ A legible copy of each of the listed non-patent literature and foreign documents or their relevant portions is enclosed.

☒ Copies of cited U.S. patents and/or publications are NOT enclosed pursuant to the Official Gazette Notice, dated Aug. 5, 2003, waiving the requirement of 37 C.F.R. § 1.98(a)(2)(i).

☐ Copies of the references listed in the accompanying Form PTO/SB/08A AND PTO/SB/O8B are NOT enclosed because, under 37 C.F.R. § 1.98(d), they were previously cited by or submitted to the Office in application number _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120.

For all listed references that are not either in the English language, or accompanied by a translation into English, a concise explanation of relevance as required under 37 C.F.R. § 1.98(a)(3) is enclosed attached to each.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or to credit any overpayment to Deposit Account No. 20-0100.

Dated this 31 day of March, 2006.

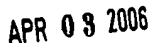
Respectfully submitted,



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Enclosure



Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449/PTO

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Sheet	1	of	1
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Complete if Known

Application Number	10/505,289
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Filing Date	7/14/2005
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First Named Inventor	Brian Jones
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First Named Inventor	Shue
Art Unit	1723

Examiner Name _____

Attorney Docket Number	25808.US
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U.S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

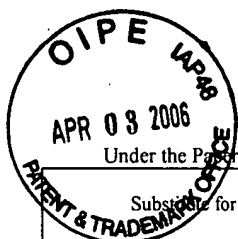
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Complete if Known

Application Number	10/505,289
Filing Date	07/14/2005
First Named Inventor	Brian Jones
Art Unit	1723
Examiner Name	
Attorney Docket Number	25808.US
Sheet 1 of 2	

NON PATENT LITERATURE DOCUMENTS

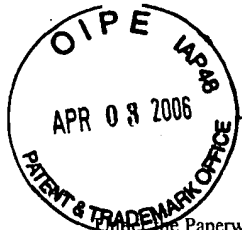
Examiner Initials*	Cite No. ¹	Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		ANDERSEN, THOMAS ET AL., "Separation of polyethylene glycol oligomers using inverse temperature programming in packed capillary liquid chromatography" J. Chromatogr. A. (2001) Vol. 918, pp. 221-226.	
		BRUHEIM, INGE ET AL., "Temperature-Programmed packed Capillary Liquid Chromatography Coupled to Fourier-Transform Infrared Spectroscopy," J. High. Resolut. Chromatogr. (2000) Vol. 23(9), pp. 525-530.	
		DJORDJEVIC, N.M. ET AL., "High Temperature and Temperature Programming in High-Performance Liquid Chromatography: Instrumental Considerations," J. Microcol. Sep. (1999) Vol. 11(6), pp. 403-413.	
		FIELDS S.M. ET AL., "Superheated water as eluent in high-temperature high-performance liquid chromatographic separations of steroids on a polymer-coated zirconia column" J. Chromatogr. A. (2001) Vol. 913, pp. 197-204.	
		MCCALLEY, D.V., "Effect of temperature and flow-rate on analysis of basic compounds in high-performance liquid chromatography using a reversed-phase column," J. Chromatogr. A. (2000) Vol. 902, pp. 311-321.	
		MCCOWN, S.M. ET AL., "Solvent Properties and Their Effects on Gradient Elution High-Performance Liquid Chromatography," J. Chromatogr. (1986), Vol. 352, pp. 483-492.	
		MOLANDER, P. ET AL., "Determination of 1-(2-methoxyphenyl)piperazine derivatives of isocyanates at low concentrations by temperature-programmed miniaturized liquid chromatography," J. Chromatogr. A. (2000) Vol 892, pp. 67-74.	
		MOLANDER, P. ET AL., "Determination of low levels of an antioxidant in polyolefins by large-volume injection temperature-programmed packed capillary liquid chromatography," J. Chromatogr. A. (1999) Vol. 864, pp. 103-109.	
		MOLANDER, P. ET AL., "Temperature Effects on Packed-Capillary Liquid Chromatography of the X-ray Contrast Agent Iodixanol," J. Chromatogr. Sci. (2000) Vol. 38, pp. 157-161.	

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				Application Number	10/505,289
				Filing Date	07/14/2005
				First Named Inventor	Brian Jones
				Art Unit	1723
				Examiner Name	
Sheet	2	of	2	Attorney Docket Number	25808.US

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²	
		MOLANDER, PAAL ET AL., "Separation of Ceramides by Sub-Ambient Temperature-Assisted large volume Injection in Temperature-Programmed Packed Capillary Liquid Chromatography," J. High. Resolut. Chromatogr. (2000) Vol. 23 (11) pp. 653-655.		
		MOLANDER, PAAL ET AL., "Simultaneous dual-mechanism separation of a semicrystalline polymer blend on large-pore silica by temperature-programmed packed capillary liquid chromatography" J. Sep. Sci. (2001) Vol. 24, pp. 136-140.		
		MOLANDER, PAAL ET AL., "Temperature-Programmed Packed Capillary Liquid Chromatography Separation with Large Volume On-Column Focusing of Retinyl Esters," J. High Resolut. Chromatogr. (1999) Vol. 9, pp. 490-494.		
		NORDSTROM, O. ET AL., "Evaluation of Temperature Programming for Gradient Elution in Packed Capillary Liquid Chromatography Coupled to Electrochemical Detection," J. Microcol Sept. (2001) pp. 179-185.		
		POPPE, H. AND J. C. KRAAK, "Influence of Thermal Conditions on the Efficiency of High-Performance Liquid Chromatographic Columns," J. Chromatogr. (1983) Vol. 282, pp. 399-412.		
		TRONES, ROGER ET AL., "Hindered amine stabilizers investigated by the use of packed capillary temperature programmed liquid chromatography II: Poly-(N-β-hydroxyethyl-2,2,6,6-tetramethyl-4-hydroxypiperidyl succinate)," J. Chromatogr. A. (2000) Vol. 902, pp. 421-426.		
		TRONES, ROBERT ET AL., "Hindered amine stabilizers investigated by the use of packed capillary temperature-programmed liquid chromatography I. Poly ((6-1,1,3,3-tetramethylbutyl)-amino)-1,3,5-triazine-2,4-diyl((2,2,6,6-tetramethyl-4-piperidyl)imino)-1,6-hexaneiy ((2,2,6,6-tetramethyl-4-piperidyl)imino)," J. Chromatogr. A. (2000) Vol. 874, pp. 65-71.		
		WOLCOTT, R.G. ET AL., "Control of column temperature in reversed-phase liquid chromatography," J. Chromatogr. A. (2000) Vol. 869, pp. 211-230.		
		YAN, BINGWEN ET AL., "High-Temperature Ultrafast Liquid Chromatography," Anal. Chem., 2000, Vol. 72, pp. 1253-1262.		

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